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General Assembly
Security Council

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General Assembly
Tenth emergency special session
Agenda item 5
Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Sixty-first year

Identical letters dated 31 August 2006 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

As the international community remains silent, Israel, the occupying Power, continues to wage its brutal military campaign against the Palestinian people in the Occupied Palestinian Territory, especially in the Gaza Strip. Yesterday alone, Israeli occupying forces killed 11 more Palestinians, including an 11-year-old, a 14-year-old and an 18-year-old. Most of the deaths that have been inflicted on the Palestinian people by the Israeli occupying forces occurred in the Al-Shija'ya neighbourhood in the east of Gaza City. Over the past five days, Israeli tanks and warplanes have heavily shelled the area, causing a high number of deaths and injuries to the civilian population. In this regard, the total number of Palestinians killed since the Israeli incursion into Al-Shija'ya neighbourhood during this period now totals over 20, including children and women and a mentally disabled young man. Moreover, the total number of Palestinians killed since the beginning of the military aggression against Gaza and its inhabitants has increased to well over 220, including 46 children and 12 women. In addition, at least 755 others, including 203 children, 28 women, 4 paramedics and 6 journalists, have been wounded, many seriously.

It is starkly evident that it is the intention of Israel, the occupying Power, to cause as much death and destruction, both civilian and material, as possible in the Occupied Palestinian Territory, through its deliberate use of excessive, indiscriminate and completely disproportionate force against the occupied population. Indeed, in both word and action, the occupying Power has indicated that it will in fact continue with its aggression and its illegal policies, further compounding the suffering of the Palestinian people, whom are already living in impoverished conditions under its brutal occupation. We continue to call on the international community to take action to compel Israel, the occupying Power, to cease its military attacks and to scrupulously abide by international law, particularly the provisions of the Fourth Geneva Convention in the Occupied Palestinian Territory, including East Jerusalem.

06-48570 (E) 010906

The present letter is in follow-up to our previous 263 letters to you regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, since 28 September 2000. These letters, dating from 29 September 2000 (A/55/432-S/2000/921) to 28 August 2006 (A/ES-10/354-S/2006/641), constitute a basic record of the crimes being committed by Israel, the occupying Power, against the Palestinian people since September 2000. Moreover, we reiterate that for all of these war crimes, State terrorism and systematic human rights violations committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice.

In follow-up to the above-mentioned letters, it is my profound regret that since our last letter to you at least 22 more Palestinians have been killed by the Israeli occupying forces, raising the total number of martyrs killed since September 2000 to 4,210. (The names of the martyrs that have been identified are listed in the annex to the present letter.)

I should be grateful if you would arrange to have the text of the present letter and its annex distributed as an official document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Dr. Riyad **Mansour**
Ambassador
Permanent Observer of Palestine to the United Nations

Annex to the identical letters dated 31 August 2006 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

Names of martyrs killed by the Israeli occupying forces in the Occupied Palestinian Territory, including East Jerusalem* (Tuesday, 29 August, through Thursday, 31 August 2006)

Tuesday, 29 August 2006

1. Hani Hashash
2. Ibrahim Anu Muneef
3. Mariam Farhouda
4. Ibrahim Al-Dairi
5. Jarad Al-Jamali
6. Haitham Hassan
7. Yousri Jaber
8. Ahmad Abdul Rahman
9. Mohammed Al-Zaqq (14 years old)
10. Hussam Abu Rokbah
11. Qais Aref Oufi

Wednesday, 30 August 2006

1. Hussam Jaradat
2. Rami Al-Gharabi
3. Ra'ed Sbeta
4. Muhannad Jendiyyeh
5. Salman Abu Al-Qomboz
6. Yasser Al-Gharabi
7. Nidal Al-Dahdouh (14 years old)
8. Iyad Al-Sarsak
9. Hamdi Al-Banna (18 years old)
10. Hussam Al-Sarsawi (11 years old)

Thursday, 31 August 2006

1. Fadi Qafisha

* The total number of Palestinian martyrs killed by the Israeli occupying forces since 28 September 2000 is 4,210.

United Nations A/60/997–S/2006/705

General Assembly
Security Council

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1 September 2006
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General Assembly
Sixtieth session
Agenda item 14
The situation in the Middle East

Security Council
Sixty-first year

Identical letters dated 31 August 2006 from the Chargé d'affaires a.i. of the Permanent Mission of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council

On instructions from my Government, I transmit to you herewith a list of Israeli acts of aggression against Lebanon which took place between 29 and 31 August 2006 (see annex).

I should be grateful if you would have this letter and its annex circulated as a document of the General Assembly, under agenda item 14, and of the Security Council.

(Signed) Caroline **Ziade**
Chargé d'affaires a.i.

06-48587 (E) 060906 070906

Annex to the identical letters dated 31 August 2006 from the Chargé d'affaires a.i. of the Permanent Mission of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council

Subject: Israeli violations and attacks against Lebanon from 0800 hours on 30 August 2006 through 0800 hours on 31 August 2006

Air violations

Four air violations by enemy Israeli reconnaissance aircraft and helicopters over various areas of Lebanon were recorded.

Land violations

On 30 August 2006, an excavator carried out maintenance work on the gate and the barbed wire strip on either side of it accompanied by two civilian vehicles and finished work at 1700 hours.

Immediately after the cessation of the military attacks carried out by Israel during its most recent aggression on Lebanon, it became evident that the forces of occupation in Al-Ghajar had taken advantage of the new situation and had deployed into the Lebanese section of the town, crossing the Blue Line to a distance of 500 metres inside Lebanese territory. The enemy forces had erected earth mounds and placed concrete blocks along the boundaries of the town on the east and north sides of the Lebanese section. An Israeli tractor was also observed repairing the barbed wire fence bordering the north side of the town.

30 August 2006

- At 1100 hours, a land mine exploded on a bulldozer belonging to the Israeli enemy forces which was moving earth at Al-Rahib hill outside Aait al-Chaab, inside Lebanese territory.
- At 1250 hours, from one of their positions inside occupied Palestinian territory, the enemy fired about 5 artillery rounds aimed at Al-Hadeb, west of the town of Aaita al-Chaab, inside Lebanese territory.

Sea violations

- At 2115 hours, an enemy Israeli gunboat fired an illumination flare over the water off Sayniq about 3 kilometres from the coast.
- As a result of the use by the Israeli enemy of cluster bombs in residential areas during its attacks on Lebanon, there have been numerous cluster-bomb explosions resulting in injury to three people during the period in question, as follows:
    - At 0730 hours, in Aadchit al-Chaqif, a cluster bomb from among the war remnants left by the Israeli enemy exploded and injured a woman called Aliya Hayek (her condition is not serious).
    - At 0825 hours, in Al-Maalliye (Tyre), Rahat Handasi (LM6) was inspecting his citrus orchard when a cluster bomb from among the war

remnants left by the enemy exploded injuring Sergeant First Class Najih Hablus in the right thigh and the neck (his condition is not serious).

- At 1800 hours, in the town of Qana (Al-Khariba district) a boy named Mahmoud Shalhoub (ten years old) was playing close to his home when an unidentified object exploded, slightly injuring his right hand and face (he returned home after treatment).

Subject: Israeli violations and attacks against Lebanon from 29 August 2006 at 0800 hours to 30 August 2006 at 0800 hours

Air violations

- Seven air violations by enemy Israeli reconnaissance aircraft and helicopters over various areas of Lebanon were recorded.

Land violations

- At 0900 hours, in the locality of Khallet al-Rahib (Aaita al-Chaab) ten explosions were heard, the cause of which was not known.
- From 1100 hours onwards, a Poclain machine, a Pajero jeep and three civilians carrying surveying instruments went through the Metulla gate (Al-Barrad) and took up a position in front of the gates. They were accompanied by an enemy patrol inside the settlement of Metulla. At 1600 hours, they departed in the direction of occupied Palestinian territory.
- At 1300 hours, in the locality of Khallet al-Rahib (Aaita al-Chaab) several bursts of medium-machine-gunfire were heard, the cause of which was not known.
- Between 1800 hours and 1940 hours, the enemy Israeli forces strafed the area surrounding their position at Rouaisset al-Aalam (in the occupied Shab'a farms) with medium-machine-gunfire.
- On 29 August 2006, a Poclain excavator belonging to the enemy Israeli forces placed concrete blocks in front of the Fatima Gate about 15 metres inside Lebanese territory, finally closing the gate off to vehicular traffic.

United Nations S/2006/706

Security Council

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1 September 2006

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Report of the Secretary-General pursuant to paragraph 30 of resolution 1546 (2004)

I. Introduction

1. In paragraph 30 of its resolution 1546 (2004), the Security Council requested the Secretary-General to report to the Council on a quarterly basis on the fulfilment of the responsibilities of the United Nations Assistance Mission for Iraq (UNAMI). The present report is the ninth submitted pursuant to that resolution.

2. The report provides an update on United Nations activities in Iraq since the previous report (S/2006/360 of 2 June 2006). It presents a summary of key political developments in the period under review, particularly concerning the efforts of the Government of Iraq to promote national reconciliation and to improve the security situation throughout the country, as well as regional and international developments pertaining to Iraq. The report also provides an update on the activities of my Special Representative for Iraq, Ashraf Jehangir Qazi, the activities of UNAMI, an assessment of the security situation and an update on operational and security matters.

3. On 11 August 2006, the Security Council adopted resolution 1700 (2006), by which the Council extended the mandate of UNAMI for an additional period of 12 months, as requested by the Government of Iraq on 3 August 2006. In the resolution, the Council recognized that there continues to be a vital role for UNAMI in assisting Iraqi efforts to build a productive and prosperous nation at peace with itself and its neighbours. The Council also expressed its intention to review the mandate of UNAMI in 12 months or sooner, if requested by the Government of Iraq.

II. Summary of key developments in Iraq

A. Political developments

4. During the period under review, Iraq was faced with growing violence and insecurity, particularly in Baghdad and the southern and western regions. In response to those challenges, the first constitutionally elected Government of Iraq following its appointment on 20 May 2006, focused its political efforts on promoting national reconciliation and dialogue.

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5. On 8 June 2006, the Council of Representatives completed the Government formation process by approving the appointment of Mohammed Abdulqadir al-Obaidi as Minister for Defence, Jawad Bolani from the Al-Fadila party of the United Iraqi Alliance as Minister of the Interior, and Sherwan al-Waili from Al-Daawa of the United Iraqi Alliance as Minister of State for National Security.

6. On 14 June 2006, the Government launched a security plan for Baghdad aimed at addressing the increased level of violence and growing criminality, which are undermining its efforts of reconciliation and dialogue. The second phase of the Baghdad security plan was initiated at the beginning of August 2006 with the redeployment of additional troops of the Multinational Force to the capital.

7. On 25 June 2006, the Prime Minister, Nouri al-Maliki, unveiled the National Reconciliation Plan. The 24-point Plan called for a qualified amnesty, the release of detainees, the reform of the legal and judicial systems, the provision of assistance to areas that are prone to violence, the facilitation of dialogue on constitutional and related matters, and the resolution of the problem of militias. The Plan also acknowledged the idea of an Iraqi-led Baghdad peace initiative, emphasized the need for regional support to achieve peace and stability in Iraq, and recognized the efforts of the League of Arab States to convene a conference on Iraqi national accord. The Plan also provided for the establishment of the High Committee for National Reconciliation, which held its first session on 22 July 2006. The composition of the Committee has not yet been finalized owing to a difference in views concerning membership criteria.

8. In his statement to mark the launch of the National Reconciliation Plan, my Special Representative welcomed the Plan and commended the efforts of the Government of Iraq in promoting dialogue and peace. He called upon all concerned, including regional and international actors, to support the initiative. He also reiterated that the United Nations remained fully committed to facilitate and assist in the implementation of the issues outlined in the reconciliation project of the Prime Minister, in accordance with its mandate.

9. Prior to the August recess of Parliament, the Council of Representatives established 19 of its 24 parliamentary committees. Extensive debate on the internal rules of procedure and the powers of the Speaker of the Council delayed parliamentary deliberations and the work of the committees. The kidnapping on 1 July 2006 of Tayseer Mashhadani, member of parliament from the Tawafoq coalition, resulted in further delay when the Tawafoq bloc temporarily suspended its participation in the Council of Representatives. Tawafoq resumed its participation after receiving assurances of Ms. Mashhadani's release, which occurred on 26 August 2006.

10. On 16 and 25 July, the Council of Representatives conducted its first and second readings of the draft law on the establishment of the Independent High Electoral Commission. The Council decided that it would resume its discussions on that subject in September. It also decided to extend the caretaker mandate of the Independent Electoral Commission of Iraq for an additional two months, until 10 October 2006. In addition, the Council continued its consultations on the draft law for the establishment of a national human rights commission in Iraq.

B. Regional developments

11. At the invitation of the Government of the Islamic Republic of Iran, the Foreign Ministers of the countries neighbouring Iraq held their ninth meeting in Tehran on 8 and 9 July 2006. The meeting was attended by the Foreign Ministers of Bahrain, Egypt, Iran (Islamic Republic of), Iraq, Jordan, Kuwait, Saudi Arabia, the Syrian Arab Republic and Turkey, as well as the Secretaries-General of the League of Arab States and the Organization of the Islamic Conference. My Special Representative for Iraq also attended the meeting. In the final communiqué of the meeting, the Ministers welcomed the establishment of a broad-based Government with the participation of all segments of the Iraqi population.

12. The League of Arab States continued preparations for the convening of the conference on Iraqi national accord. At the invitation of the League of Arab States, UNAMI sent a team to participate in the preparatory meeting for the conference, which was held in Cairo from 25 to 27 July 2006. It was decided that the next preparatory meeting would be held in November 2006. My Special Representative has remained in close contact with the Secretary-General of the League, Amre Moussa, and its Envoy to Iraq, Mukhtar Lamani, in support of this initiative.

C. International developments

13. On 16 June 2006, I accepted the request by the Government of Iraq for the United Nations to provide support in developing the International Compact with Iraq. The Compact is an initiative of the Government for a new partnership with the international community. Its purpose is to achieve a national vision for Iraq with the aim of consolidating peace and pursuing political, economic and social development over the next five years. The primary focus will be to build a framework for the economic transformation of Iraq and its integration into the regional and global economy. The Compact will also reflect the inter-connectedness of political and security developments with Iraq's recovery, which is a prerequisite for sustainable regional investments. The Compact is co-chaired by the Deputy Prime Minister of Iraq, Barham Salih, and my Deputy Secretary-General, Mark Malloch Brown. My Special Representative for Iraq has been designated as my focal point for the Compact in Iraq.

14. On 5 and 6 July, my Deputy Secretary-General visited Baghdad to consult with the Government of Iraq, the United Nations Development Group, United Nations agencies, the World Bank, and the international donor community on the process of developing the Compact. The co-chairs are assisted by a preparatory group of countries and organizations to develop the Compact via a consultative process. The group provides support, advice and guidance on the Compact. The co-chairs have appointed an executive committee that will manage the process towards the adoption of the Compact and beyond. The committee includes representatives of the Government of Iraq, the United Nations, the World Bank, the International Monetary Fund, the Arab Fund for Economic and Social Development and the Islamic Development Bank.

15. On 27 July, the co-chairs issued a joint statement formally launching the Compact, in which they invited the international community to commit their support to the process and to join as valued partners in the International Compact with Iraq.

It is envisaged that the finalized Compact, including key priorities, benchmarks and commitments, will be presented by the Government of Iraq by the end of 2006.

16. In order to engage in a strategy dialogue on the future of Iraq, on 18 September, I will convene a meeting of Foreign Ministers at Headquarters in New York. The purpose of the meeting will be to review progress in the implementation of Security Council resolution 1546 (2004) and the commitment of the United Nations to provide the necessary assistance to the Government of Iraq. Participants will include Iraq and its neighbouring countries, the permanent members of the Security Council, key donors and representatives of concerned regional and international organizations. The meeting will provide an opportunity to review the progress being made by the Government in the political, security and economic fields, and to seek broader international support and engagement with the Government. The meeting will also provide a unique opportunity for the Government to present an outline of its programme for the reconstruction of Iraq over the next five years inside the framework of the International Compact.

III. Update on activities of the Mission

A. Political activities of the Special Representative of the Secretary-General

17. During the period under review, my Special Representative remained in close contact with all key Iraqi political, community and religious leaders to promote the National Reconciliation Plan of the Government. He also encouraged all concerned to exert their influence to protect civilian lives and dedicate their efforts to ensure mutual respect and dialogue and to discuss tangible steps to reduce violence and build trust in State institutions. He also continued his consultations with political, tribal and religious leaders to discuss mechanisms for exploring the Iraqi-led Baghdad peace initiative.

18. In the context of his regular contacts with the League of Arab States on the continuing efforts to convene the conference on Iraqi national accord, my Special Representative, on 12 June 2006, met the delegation of the League led by Assistant Secretary-General Ahmad Bin Hilli to discuss preparations for the conference.

19. On 8 and 9 July, my Special Representative visited Tehran to participate in the ninth meeting of the Foreign Ministers of the countries neighbouring Iraq. At the meeting, my Special Representative stressed the need for regional support to achieve peace and stability in Iraq and that all of Iraq's neighbours have a stake in the success of the Compact. He held separate meetings with the Foreign Minister of the Islamic Republic of Iran, Manouchehr Mottaki, and the Foreign Minister of Iraq, Hoshyar Zebari, to discuss matters of regional interest, including preparations for the International Compact. He also met the Secretary-General of the League of Arab States, Amre Moussa, and the Secretary-General of the Organization of the Islamic Conference, Ekmeleddin Ihsanoglu.

20. My Special Representative received the Governor of Karbala and members of the Karbala Provincial Council. He also met with senior commanders of the Multinational Force, as well as with the Ambassadors of Denmark, France, Turkey, the United Kingdom of Great Britain and Northern Ireland and the United States of

America, and the representative of the European Union in Iraq. In addition, within the framework of the ongoing preparations for the International Compact, my Special Representative held consultations with members of the Government of Iraq as well as with representatives of the diplomatic and the donor community in Baghdad.

B. Constitutional support activities

21. During the period under review, the UNAMI Office of Constitutional Support continued to play a leading role in promoting dialogue and consensus-building on the Constitution of Iraq. The Office met with a broad spectrum of political and community leaders, academic institutions and non-governmental organizations to discuss issues pertaining to the review, amendment and implementation of the Constitution.

22. In July 2006, the Office completed its seminar programme, which was launched in February 2006, to promote multiparty dialogue. The programme engaged senior political leaders, technocrats and members of civil society in focused discussions on critical constitutional issues. The programme concentrated on the constitutional themes of decentralization and federalism, the rule of law and human rights, and issues relating to accountable governance. Specific topics included multilateral dialogue on the subjects of the rule of law and the judiciary system, human rights, oil and gas, federalism, fiscal federalism, and governance.

23. The Office continued to provide advice and assistance to the Government and the Council of Representatives on issues relating to the establishment of the constitutional review committee. It also continued to contribute to UNAMI reconciliation activities, in particular those targeted at the resolution of potentially divisive constitutional issues.

C. Electoral assistance activities

24. On 2 July 2006, the Council of Representatives requested the assistance of the United Nations in the drafting of the legal framework for the establishment of a permanent electoral commission along with other related issues, such as the conduct of upcoming electoral events. In response to the request of the Council of Representatives, the UNAMI Electoral Assistance Team provided technical assistance to the Legal Committee of the Council in the drafting of the law establishing the Independent High Electoral Commission, as well as on the formulation of the new electoral law.

25. On 16 and 25 July, the Council of Representatives conducted its first and second readings of the draft law on the establishment of the Commission. The Council decided that it would resume its discussions on the matter in September. In the meantime, the Council decided to extend the caretaker mandate of the Independent Electoral Commission of Iraq for an additional two months, until 10 October 2006.

26. In addition, the Electoral Assistance Team continued its efforts aimed at strengthening the capacity of the Independent Electoral Commission and the skills of its staff. The Team stands ready to provide required technical assistance to

support the transition of the Commission to the new Independent High Electoral Commission.

D. Reconstruction, development and humanitarian assistance

27. Concern continues to grow over the displacement of civilians, primarily as a result of intercommunal violence, but also due to military operations. According to United Nations and Iraqi Government sources, the number of displaced families since the Samarra attack on 22 February 2006 exceeded 30,000 (approximately 200,000 individuals). National non-governmental organizations and the Iraqi Red Crescent Society have reported that their personnel are facing increased harassment and threats as a result of their efforts to assist internally displaced persons. As a consequence, volunteers have left the agencies, further diminishing the human resources available to assist those in need.

28. The rapidly increasing number of internally displaced persons underlines the need for additional resources to address the deteriorating humanitarian situation. United Nations agencies, funds and programmes have nearly exhausted their resources earmarked for emergency humanitarian activities, as most were funded from donations received following the last United Nations consolidated appeal for Iraq in 2003, as well as from their respective core resources. Similarly, the Government of Iraq is constrained in its ability to adequately respond to the situation. There is now an urgent need for substantial new funding to meet the needs of those who have been displaced by the conflict.

29. The Mission has also provided the Government with guidance on addressing the needs of internally displaced persons in regard to shelter and assistance, in an effort to avoid the establishment of tented camps that would pose long-term problems and potentially jeopardize the security and dignity of the displaced. Other advocacy issues include respect for humanitarian access and space, and other principles of international humanitarian law.

30. The United Nations country team continues to work according to its plans, with a new focus on area-based development as a result of its internal consultations. Numerous missions and regular dialogue have allowed UNAMI to help address the specific needs of communities in various regions. As a part of that process, UNAMI continued to support the initiative of the Ministry of Planning and Development Cooperation to enhance coordination and interaction between the provincial and central authorities on reconstruction and development challenges. The assignment of an international adviser to the Ministry has been completed. Discussions are under way to determine whether the need exists to continue the arrangement.

31. A revised concept for the establishment of an emergency coordination and response cell was submitted to the Office of the Prime Minister during the reporting period. The UNAMI Humanitarian Adviser assigned to the Office will be returning to Baghdad soon to work on the cell. Frequent visits to Iraq by my Deputy Special Representative for Humanitarian, Reconstruction and Development Affairs have helped to raise awareness within the Government of the concept for the cell.

32. Support to civil society remains high on the United Nations agenda in Iraq. Capacity-building, grants for the provision of services to communities and the convening of regional coordination meetings for non-governmental organizations

are ongoing activities. A United Nations International Adviser recently arrived in Baghdad to work with the State Ministry for Civil Society Affairs, focusing on the drafting of the law on non-governmental organizations, and providing support for institution-building and training.

33. In my previous report, it was anticipated that there would be a meeting of the Donor Committee of the International Reconstruction Fund Facility for Iraq during the current reporting period. However, the preparations for the International Compact provide for a recalibration of the Facility mechanism to accelerate the gradual channelling of bilateral and multilateral support directly to the Government of Iraq.

F. Human rights activities

34. Iraq is experiencing an acute human rights and humanitarian crisis, with indiscriminate killings, targeted attacks, crime and corruption contributing to the lack of law and order. Despite efforts by the new Government to address the situation, State institutions have been unable to protect individuals from gross human rights violations or grant redress or compensation to the rapidly growing number of victims. I remain concerned by reports that militia elements have infiltrated governmental and law enforcement institutions, thus undermining the confidence of the Iraqi people in State institutions. The existence of death squads, some of which are linked to the existing armed militias, and even to sectors of Government security forces, is highlighted by the daily appearance, in various parts of the country, of dozens of bodies of murdered persons bearing signs of torture and execution.

35. Violence in Iraq continues to disproportionately affect civilians. According to figures provided by the Ministry of Health, 3,149 civilians were killed in June while at least 3,438 were reportedly killed in July. Numerous attacks and mass kidnappings of civilians revealed a pattern of targeting based on sectarian affiliation, with a clear intent to provoke fear and take vengeance. The impact on women, children and ethnic and religious minorities has been particularly alarming. Women continue to see their rights and freedom curtailed. A significant number of "honour crimes" have been reported, although precise figures remain difficult to obtain. Children also continue to suffer not only from indiscriminate violence, including kidnapping, but also from acts of abuse. The violence has led to an increase in the number of internally displaced children, who require basic services and psychosocial support. Ethnic and religious minorities also continue to be targeted by violence, often resulting in forced migration and internal displacement.

36. The number of detainees held in the country also remains a source of concern. The Ministry of Human Rights reported that approximately 26,398 detainees were being held in detention centres countrywide at the end of July 2006, including some 13,000 detainees in the custody of the Multinational Force. The figures include a number of detainees in the region of Kurdistan, amounting to 2,147 at the end of June. The Mission continues to work with the Iraqi authorities and the Multinational Force to ensure that the release and transfer of detainees is carried out promptly and in accordance with international human rights standards. However, thousands of detainees continue to be held in violation of the existing legal framework and still lack the right of due process, in part because of the lack of required capacity in Iraqi

courts. I welcome the release of some 3,300 individuals in June and July as an attempt to bolster the National Reconciliation Plan of the Government.

37. I remain very concerned that arbitrary detention and torture of detainees in Iraqi prisons continue to be widespread. On 1 June 2006, a joint inspection of a prison site by representatives of the Iraqi Government and the Multinational Force found 1,431 detainees with signs of physical and psychological abuse. A total of 52 arrest warrants have been issued against officials of the Ministry of the Interior, but they have yet to be served. On 1 and 2 July 2006, the Special Rapporteur on the question of torture, Manfred Nowak, met with Iraqi non-governmental organizations and representatives of the Ministry of Human Rights in Amman to survey the situation in Iraq. On 19 July, the United Nations High Commissioner for Human Rights wrote to the Iraqi Prime Minister, commending him for his efforts to promote national reconciliation, in particular the release of detainees. She also reiterated her previous call for the immediate release of the report on the investigation into allegations of detainee abuse at the Al-Jadiriya detention centre in November 2005.

38. On 21 June 2006, following the assassination of Khamis al-Obeidi, a lawyer representing Saddam Hussein, the defence counsel boycotted several court sessions. On 27 July 2006, the court recessed until 16 October 2006, when it is scheduled to announce the verdict of the Dujail case. The current trial, which will consider the Anfal campaign in northern Iraq against Kurdish populations during the late 1980s, began on 21 August 2006. Mr. Hussein and six other co-defendants are charged with war crimes related to an internal armed conflict and crimes against humanity. Saddam Hussein and Ali-Hassan al-Majid are also charged with genocide.

39. The Mission continues to work with Iraqi ministries, judicial institutions and civil society organizations in the development of a strong human rights system. Progress was made in the drafting of a law for the establishment of a national human rights commission. The Human Rights Office also continued to support the Rule of Law Sector Working Group, a group composed of representatives of Iraqi ministries and donor countries to develop a comprehensive strategy on the rule of law.

40. On 22 and 23 July, the Human Rights Office, the Office of the United Nations High Commissioner for Human Rights and the International Centre for Transitional Justice, in partnership with the Ministry of Human Rights, organized a meeting on transitional justice in Iraq. Numerous calls were made for greater United Nations involvement and expertise. It was agreed that further mechanisms would be established within UNAMI to support the implementation of the National Reconciliation Plan, which includes transitional justice as a key component.

IV. International Reconstruction Fund Facility for Iraq

41. As at 31 July 2006, the total contributions to the United Nations Development Group Iraq Trust Fund, one of the two funds of the International Reconstruction Fund Facility for Iraq, equalled $934 million. A total of 101 projects valued at $831 million were approved as at the end of July 2006 for funding under the Iraq Trust Fund. Continuing the significant progress in implementation, contracts worth cumulatively $637 million (77 per cent of approved funding) have been initiated and $522 million (63 per cent of approved funding) have been disbursed.

42. On 24 May 2006, the United Nations and the World Bank hosted an informal meeting on the progress of Fund Facility activities in Amman. The meeting was attended by the officials of the Government of Iraq and 38 officials from 16 countries. The briefing focused on the third six-month progress reports from the World Bank and the United nations, as well as on the findings of external reviews of United Nations and World Bank operations. The participants recognized the many positive features of the Fund Facility, particularly the success achieved in a very difficult environment, the quality of the reports and the transparency of the information provided on the dedicated web site (www.irffi.org). The meeting strongly supported the need to retain the Fund Facility as an important instrument to support Iraq in the next stages of its reconstruction process.

43. Participants commended the United Nations on its work in Iraq, especially in the areas of electoral assistance, constitutional support and the provision of basic services. The European Commission in particular welcomed the convening of the informal meeting and the opportunity to discuss the progress reports, the reviews and the prospects for both trust funds. Subsequently, the European Commission announced that it would grant an additional €120 million to the Iraq Trust Fund to support the ongoing work on basic services and governance. The United Nations is highly appreciative of this major new contribution to the Iraq Trust Fund.

44. In follow-up to the Amman meeting, the Chair of the Fund Facility visited Baghdad from 16 to 19 July 2006 to convey the views of the Donor Committee to the new Government of Iraq. The Deputy Prime Minister and the new Minister for Planning and Development Cooperation confirmed their support for a new revitalized and refocused Facility. There was general agreement on the concept of continuing to use the Facility as a funding mechanism for rapid response to basic services and needs, but also with a greater focus on support to Iraqi institutions that would elaborate and operationalize the strategic policy and economic reforms that may result from the Compact.

V. International Advisory and Monitoring Board

45. On 17 and 18 July 2006, the International Advisory and Monitoring Board, which oversees the use of resources of the Development Fund for Iraq, met in New York and reviewed draft audit reports by Ernst & Young covering the audits of Iraqi oil export sales and Fund operations for the period from 1 July to 31 December 2005. In its statement issued on 10 August 2006, the Board noted that audit reports continued to be critical of the financial and accounting control systems in place in the spending ministries, the United States agencies in respect of the outstanding commitments using Fund resources, and the Iraqi administration of Fund resources. The Board urged the Government of Iraq to take concrete steps to address the audit findings and recommendations to ensure that oil resources were better protected.

VI. Security and operational issues

A. Assessment of the security situation

46. The level of violence in Iraq continues to rise in many areas of the country, and United Nations staff members remain at risk. The sectarian nature of most of the violence, together with resistance groups, extremist-led armed groups and organized criminal groups, combine to create a very complex and dangerous operating environment. The current level of violence and disorder is likely to continue for some time.

47. Daily civilian casualties remain high. Large-scale kidnappings are now common, as are false checkpoints and summary executions by various Shiite and Sunni armed groups. Despite the Government's introduction of the Baghdad security plan in June 2006, the levels of violence in the city have actually risen, indicating the worrisome capability of insurgents, armed opposition groups and criminal gangs. Early in August 2006, the Government of Iraq announced a second phase of the Baghdad security plan in which more than 3,700 Multinational Force troops and their armoured fighting vehicles were deployed in the city in another attempt to contain the intensifying violence.

48. However, the security situation in Iraq varies widely. Next to Baghdad, the western province of Al-Anbar is considered the most dangerous area in the country. As a result, the United Nations is unable to conduct operations there. In Baghdad, many districts have been effectively out of bounds for United Nations operations for extended periods. Large numbers of civilians, as well as personnel of Iraqi security forces and troops of the Multinational Force, are killed every week. On 12 July 2006, security responsibilities in the province of Al-Muthana in the south were handed over by the Multinational Force to Iraqi security forces. No significant acts of violence against the Government or other entities in the province have been reported.

49. The security of United Nations staff and operations in the international zone are under constant review by UNAMI and the Department for Safety and Security. Although indirect fire attacks occur, they are mostly ineffective. However, United Nations staff continue to wear personal body armour whenever moving inside the international zone and must use armoured vehicles. Although incidents are often reported from the many pedestrian and vehicular checkpoints into the international zone, and explosions and gunfire can be heard on most days, the perimeter of the international zone and its heavily controlled entrance checkpoints remain robust and safe. A roadside explosion on 7 August 2006, apparently aimed at the convoy of the Deputy Special Representative, underlined the dangers of moving inside the red zone, regardless of the fact that the incident resulted in no injuries. The incident is under investigation to determine the facts and to identify any lessons learned so that a maximum level of protection can be ensured during such movements.

50. The situation in Basra remains tense and the Multinational Force has made arrests of high-profile militia leaders in the province. In response, the levels of violence increased during the quarter, including indirect fire attacks in the Basra Palace area, which houses United Nations offices. As a result, the United Nations temporarily relocated some members of the United Nations liaison detachment staff from Basra in July. Erbil continues to be stable and calm. Nevertheless, recent

reports of potential threats kept UNAMI staff on moderate alert for numerous weeks during the reporting period. Several demonstrations over the rising prices and poor services were held in the Kurdish region, some of which led to a violent response by the police, resulting in one death and several injuries.

51. United Nations national staff members have been directly and indirectly affected by the violence, particularly in Baghdad and Basra. One national staff member of the World Health Organization has been missing since early May 2006 and several others have been threatened. The immediate relatives of several other staff members have been kidnapped, and subsequently released in return for ransom, or murdered. United Nations national staff members in Basra have been directly threatened and, in a few cases, their family members or close relatives have been killed. United Nations staff members are exposed to the effects of violence on a regular basis. Therefore, exceptional measures have been adopted, including flexible working hours, biweekly security briefings, the establishment of a national staff security working group, limited temporary accommodation in the international zone, and subsequent interaction with the Multinational Force, the Government of Iraq and other entities, when appropriate. Assisting its national staff members remains one of the Mission's foremost concerns.

52. In conclusion, the Organization's presence and its ability to operate effectively in Iraq remain severely constrained by the security environment. The United Nations is highly dependent on the Multinational Force for movement security and threat information. However, UNAMI is gradually developing methodologies and capabilities within its safety and security unit to ensure it is able to operate safely and effectively in this environment should it need to function with more self-reliance.

B. Facilities, logistics and support

53. UNAMI has commenced the planned transition from the facilities managed by the Multinational Force to the new premises managed by the Mission. On 22 August, the Mission moved its Baghdad staff from the Al-Rasheed Hotel to a temporary United Nations compound inside the international zone. The compound will serve as an interim accommodation site until a long-term and integrated facility is completed. A permanent site for that purpose has been allocated by the Government of Iraq and plans for its development, including a technical survey and site clearance, are under way. In Erbil, staff members are accommodated in the new Area Office. Improvements to the compound continue in keeping with the surrounding environment. In Basra, the new Area Office is ready for occupation by staff currently accommodated in the facilities of the Multinational Force. However, owing to recent security concerns in Basra, the planned move of staff to the United Nations compound was put on hold until further notice. Development plans are also under way for a logistics base and air terminal at Baghdad International Airport to support a dedicated aircraft when it becomes available, as well as to improve the handling of staff and cargo at the airport.

54. While the acquisition of air assets for the United Nations presence in Iraq has been a major challenge, some progress has recently been made. The Government of Japan and the United Nations have recently finalized arrangements for the provision of a dedicated weekly flight for UNAMI. The Government of Denmark has also

offered to provide a dedicated aircraft to UNAMI. I look forward to the finalization of the modalities of this offer as soon as possible. I am grateful to the Government of Japan and the Government of Denmark for their offer of air support, which will significantly improve the mobility of the Mission.

C. Agreements

55. The status-of-mission agreement between the United Nations and the Government of Iraq was signed on 3 June 2005, but its entry into force remains pending. While the United Nations sent a note to the Government of Iraq on 6 June 2005 confirming the acceptance of the agreement, the confirmation of the Government remains pending, despite repeated reminders. I call upon the Government to take action on the approval of the agreement by way of a corresponding note.

56. The Mission continues to pursue the negotiation of a series of supplementary arrangements with the Multinational Force to implement the agreement concerning the establishment of security for UNAMI, concluded between the United Nations and the Government of the United States on 8 December 2005. I look forward to the early finalization of these arrangements, which will form a core aspect of continued security support for the presence of the United Nations in Iraq.

VII. Observations

57. Over the past three years, the people of Iraq have made many sacrifices to support the political transition of their country. Through their active participation in two elections, the constitutional process and the constitutional referendum, they have demonstrated their commitment to a peaceful, democratic and prosperous Iraq, despite the very tight transitional timetable and challenging security environment. The Iraqi people now have every right to expect their elected leaders, and first and foremost their constitutionally-elected Government, to do everything possible to deliver tangible improvements in their day-to-day lives.

58. Despite the significant achievements in the political transition process, meeting the benchmarks endorsed by the Security Council in resolution 1546 (2004) has not translated into an improved security and human rights situation. This remains a major challenge. Insurgent, militia and terrorist attacks, as well as gross violations of human rights, including killings, kidnappings and torture, continued unabated in many parts of the country. Many of the victims are women, children and minorities. Iraq today has become one of the most violent conflict areas in the world. According to the latest Government figures, the number of civilians killed has increased considerably and stands at an average of 100 people per day, while more than 14,000 were reportedly wounded per month. Since the Samarra attack on 22 February 2006, approximately 200,000 individuals have been displaced. These are worrisome trends, and if they continue, the social and political fabric of the country could be endangered.

59. While I note the efforts of the Government of Iraq to take concrete measures to improve security, such as the Baghdad security plan, and the efforts by the Multinational Force to train Iraqi security forces, there can ultimately be no military

solutions to the many challenges facing Iraq. As a case in point, growing militia activities are both a cause of and a response to the rising level of insecurity and human rights violations. As long as the people of Iraq do not have full confidence in the impartiality and accountability of the new Government and its security forces, there is the danger of a vicious cycle in which rising levels of militia activities breed more fear and insecurity, which in turn will lead to a further increase in militia activities. This cycle must be broken.

60. In such a difficult environment, the burden of leadership is a heavy one. Those who are in a position to bring their influence to bear must not only take robust measures to protect the lives of innocent civilians, but also hold those responsible for violent acts accountable and bring them to justice, address legitimate grievances, and ensure that their own actions are in full accordance with international humanitarian and human rights law. The Government of Iraq has a special responsibility to ensure that all those who speak and act on its behalf do so in the interest of all Iraqi citizens, and refrain from responding to particular constituencies or interests. It must do everything possible to progressively foster an environment conducive to the demobilization, disarming and reintegration of militias.

61. A vital element in the quest for addressing the security and human rights situation is the improvement of living conditions for all Iraqis. The people of Iraq have witnessed three decades of war, internal conflict, political instability and sanctions. Most Iraqis today live without reliable access to proper health care, social services, education, employment and other economic opportunities. These needs must be addressed without delay.

62. One important economic initiative of the Government of Iraq is the International Compact, co-chaired by the Government and the United Nations, for a new partnership with the international community. Considerable preparatory work has been initiated to create an effective framework for the Compact in which the Government can develop its economic programme according to clearly defined priorities, benchmarks and commitments. While the focus of the Compact will be economic, due account needs to be taken of the interlinkages with the political and security challenges facing Iraq and the policies the Government has adopted to effectively address them. The Compact will also need to be as inclusive as possible to ensure a constructive and interactive regional and international engagement. The Government of Iraq and the international community must work together closely to develop and implement the Compact with a view to building a strong Iraqi economy, reintegrating it into the regional and global economy, and ensuring that its benefits are made available to all Iraqis. The United Nations looks forward to working with all concerned towards the successful outcome of the Compact.

63. Any strategy for the reconstruction of the country requires an enabling framework for peace and reconciliation, that addresses the causes of violence, insecurity and human rights violations. Such a framework requires political solutions based on genuine dialogue and consensus-building among the many diverse communities in Iraq, which should be seen as a source of strength rather than of division and conflict. The Government and the Council of Representatives must therefore lead in the development of a national agenda that is responsive to the needs and aspirations of all Iraqi constituencies. The Iraqi people expect and deserve no less. I welcome Prime Minister Al-Maliki's National Reconciliation Plan, in which key issues requiring effective action are identified. The Iraqi-led

Baghdad peace initiative can make an important contribution to realizing the goals of the Plan, and the United Nations stands ready to assist.

64. Regional countries have an important role in supporting national reconciliation in Iraq, given the symbiotic relationship between Iraq and the region as a whole in terms of their security and prosperity. While Iraq needs to recognize the legitimate concerns of regional countries about the situation inside its own country, regional countries must be responsive to Iraqi needs. The United Nations therefore continues to support the planned League of Arab States conference on Iraqi national accord, and my Special Representative is working closely with the League on the necessary preparations. I also welcome the periodic meetings of the Foreign and Interior Ministers of the States neighbouring Iraq. These meetings have helped to promote dialogue and interaction between Iraq and its neighbours. However, much more needs to be done through such forums to promote concrete confidence-building measures, since the situation on both sides of the Iraqi border remains difficult. In the coming months, I therefore intend to explore this issue further with Member States.

65. While regional support for national reconciliation is important, the primary responsibility clearly rests with the people of Iraq. The constitutional review could become an important vehicle to establish a firm foundation for the reconciliation process. The series of multiparty seminars held by UNAMI on key outstanding constitutional issues has shown that apparently divisive issues can be resolved if approached in constructive and imaginative ways. An effective review process thus has the potential to generate buy-in from all Iraqi constituencies. It could also create important benefits for the International Compact, establishing a solid basis for the economic reconstruction of Iraq and increasing donor and investor confidence. The United Nations therefore hopes that the Council of Representatives will initiate the constitutional review as soon as possible, and remains fully committed to providing the necessary support.

66. The United Nations also stands ready to provide assistance in drafting the legal framework for the establishment of the new Independent High Electoral Commission, as requested by the Council of Representatives. I urge those concerned to respect international experience in preserving the integrity and independence of the officials both in the commission and its governorate offices. Only a genuinely independent electoral commission can ensure successful and credible elections, which are central to the maturing democracy of Iraq.

67. The United Nations remains fully committed to continuing to fulfil its mandate pursuant to Security Council resolution 1546 (2004), as circumstances permit. I therefore welcome the 12-month extension of the UNAMI mandate by the Security Council, as requested by the Government of Iraq. While the United Nations remains responsive to the current challenges facing Iraq, it is keen to engage in a strategic dialogue on plans for the future of the country. To this end, I will convene a meeting in New York on 18 September 2006 with the representatives of Iraq and its neighbours, the permanent members of the Security Council, key donors and regional and international organizations. I hope that the participants will seize that opportunity to engage in a frank and forward-looking dialogue.

68. While the Organization's presence and ability to operate effectively remains severely constrained by the security environment, UNAMI is exploring how it can maximize its impact and which tasks can be prioritized. I would like to reiterate my

appreciation to Member States, from both within and outside the Multinational Force, who support the United Nations in Iraq, by providing military advisers, guard forces and movement and aviation support.

69. Following the formal completion of the political transition of Iraq, the time has come for its constitutionally elected Government and the international community to place the safety and welfare of the Iraqi people at the front and centre of all their collective efforts. The Iraqi people and their leaders have arrived at an important crossroads. If they are able to build firm foundations for the common interest of all Iraqis, the promise of peace and prosperity will be within reach. However, if current patterns of discord and violence prevail for much longer, there is a grave danger of a breakdown of the Iraqi State, and potentially of civil war, which would be detrimental not only to the Iraqi people, but also to countries in the region and the international community in general. I therefore hope that, at this critical time, the Iraqi people will resolve to unite with a view to building a better future for all, living up to the country's significant human and natural potential. They will need the active support from the region and the international community in general, which must recognize that overcoming the many challenges facing Iraq will require long-term solutions that can only be achieved through a sustained commitment of cooperation and support.

70. Based on the extended mandate of UNAMI, the United Nations will continue to stand by the people of Iraq and their political, religious and community leaders, and will make every effort to play its part to help generate tangible progress for a democratic and prosperous Iraq, at peace with itself, its neighbours and the international community in general. I wish to thank my Special Representative, Ashraf Jehangir Qazi, for his leadership and the Mission's national and international staff, as well as the personnel of the United Nations agencies, programmes and funds, for their dedication in fulfilling their duties in implementing the UNAMI mandate under extremely difficult conditions.

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Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo

I. Introduction

1. The present report is submitted pursuant to Security Council resolution 1244 (1999) of 10 June 1999, by which the Council decided to establish the United Nations Interim Administration Mission in Kosovo (UNMIK) and requested the Secretary-General to report at regular intervals on the implementation of the mandate. It covers the activities of UNMIK and developments in Kosovo (Serbia), from 1 May to 14 August 2006.

II. Political assessment

2. During the reporting period, my Special Envoy for the future status process for Kosovo, Martti Ahtisaari, has continued to bring representatives of Belgrade and Pristina together for direct talks. UNMIK has continued to support the work of my Special Envoy, while he has sought to encourage greater results from standards implementation. The first high-level meeting was held at Vienna on 24 July. The President and the Prime Minister of Serbia and the President and the Prime Minister of Kosovo headed their respective delegations. It was a useful meeting which provided the parties with an opportunity to present their proposals on Kosovo's future status at the political level, although both used this forum to reiterate their divergent positions, substantial autonomy and independence, respectively.

3. Three additional rounds of direct talks between the parties on the decentralization of the governmental and administrative functions of Kosovo, including the delineation of municipal boundaries, were held at Vienna on 4 and 5 May, 19 July and 7 August. The parties met to discuss cultural heritage and religious sites on 23 May and 18 July, economic issues on 31 May, and community rights on 8 August. Despite convergence on some matters, the talks revealed that the parties remain far apart on most issues.

Political situation

4. The political situation in Kosovo during the reporting period was dominated by the future status process, and the underlying political challenges. Foremost among these is the issue of governance of the portion of Kosovo territory which lies north of the Ibar River. The words and actions of the parties continue to demonstrate

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that this issue is among the most sensitive and that it poses formidable challenges to a viable conclusion of the process to determine the future status of Kosovo. Approaches to northern Kosovo will need to be carefully coordinated among relevant international actors.

5. Relations between Kosovo Albanians and Kosovo Serbs are still affected by apprehensiveness, particularly in northern Kosovo. In May, there were several highly publicized security incidents, which affected Kosovo Serbs but were not necessarily of an inter-ethnic nature. The incidents were denounced by some Kosovo Serb leaders and Serbian authorities as inter-ethnic attacks and, in their wake, a demonstration was held in protest on 5 June by approximately 800 Kosovo Serbs in Zveçan municipality. The Zveçan Municipal Assembly then declared that the security situation in the municipality and its environs necessitated "extraordinary" measures, including the cessation of contacts with the Provisional Institutions of Self-Government, and possibly the deployment and investigative involvement of Serbian police. On 12 June, Assembly members of Zubin Potok municipality confirmed they would also cease relations with the Provisional Institutions; undertake preparations for "self-protection"; and suspend cooperation with the Kosovo Police Service (KPS) in the area. On 13 June, the Leposavic Municipal Assembly followed suit. On 17 July, the Municipal Assembly Presidents of the three northern municipalities and the Regional Coordinator of the Coordination Centre for Kosovo and Metohija for northern Kosovo requested the withdrawal of Kosovo Albanian members of the KPS border police in northern Kosovo. While rejecting contacts with the Provisional Institutions, those municipalities maintained cooperation with UNMIK.

6. The Mission and the Kosovo Force (KFOR) responded by increasing the security presence through the deployment of additional international and Kosovo police officers. My Special Representative and Special Envoy engaged in contacts with authorities in Belgrade, Pristina and northern Kosovo to address the situation, and UNMIK sought to improve the flow of information to local residents. On 4 August, the Contact Group reaffirmed that there will be no partition of Kosovo and called upon Belgrade, Pristina and the residents of Kosovo to take steps to ensure that northern Kosovo remains a stable region where the rights of all are respected. The Contact Group also suggested that the international community would be increasingly engaged in northern Kosovo, before and after a determination of Kosovo's future status.

7. The governing coalition parties, the Democratic League of Kosovo and the Alliance for the Future of Kosovo, continued to work together, under the leadership of the Prime Minister of Kosovo, Agim Çeku. On 28 June, after his first 100 days in office, the Prime Minister confirmed that he was satisfied with the performance of his Government.

8. The functioning of the Kosovo Assembly continued to improve; there were more regular meetings and greater transparency, as well as increased debates before the adoption of laws. While differences remain between the governing coalition and the opposition Kosovo Albanian parties, which hampered the performance of the Assembly on occasion, they remained unanimous regarding the outcome of the ongoing political process. The Kosovo Albanian parties continued to participate in the Kosovo negotiating team. While their focus on the future status process should have led to an increase in high-level outreach by Kosovo Albanian leaders to

minority communities, it decreased from the previous reporting period. Non-Serb community members have participated in the future status talks as part of the Pristina delegation.

9. Kosovo Serb participation in the government structures of Kosovo remains marginal, particularly at the central level, and their lack of engagement in political and institutional life remains an obstacle to the fulfilment of certain standards. Kosovo Serbs from northern Kosovo continued to participate in the future status talks as part of the Belgrade delegation. Most municipalities increased their engagement with and responsiveness to minority communities although there was little increase in Kosovo Serb participation in municipal bodies, or in those established to protect the rights and interests of communities. However, the Serbian Democratic Party of Kosovo and Metohija continued to participate in the Government, holding the Ministry of Communities and Returns. Some Kosovo Serb leaders maintained informal contacts with representatives of the Provisional Institutions.

10. Unfortunately, there has been no change in Belgrade's position, which continues to discourage Kosovo Serb participation in Kosovo's governing bodies, and they have yet to heed calls to return Kosovo cadastral records. In response to the March directive from the Coordination Centre (see S/2006/361, para. 9), Kosovo Serb employees have mostly chosen to be on the payroll of the parallel structures supported by Belgrade, instead of the payroll of the Provisional Institutions. Both my Special Representative and Special Envoy have continued to seek a change in these positions.

11. Following consultations with all key political actors in Kosovo, on 16 June, my Special Representative decided to postpone the 2006 Kosovo municipal elections for up to 12 months to maintain focus on the future status process. The municipal elections will be held between three and six months after the date of a decision by the Security Council determining the future status of Kosovo.

Standards

12. A detailed technical assessment of standards implementation for the period from 1 May to 14 August, prepared by my Special Representative, is contained in annex I to this report. The ongoing political process has had a noteworthy effect on the commitment of the Kosovo authorities to standards implementation, and its results. The Provisional Institutions have also shown a greater willingness to take responsibility for both minority concerns and for improved governance in an effort to enhance Pristina's credibility in the future status talks.

13. Standards implementation focused on the 13 priorities identified by the Contact Group in June, which primarily address community-related issues. The Prime Minister designated lead agencies responsible for each area, and announced that progress in them was the Government's top priority. To date, 5 of the designated 13 priorities have been reported as completed. Implementation of the remaining priorities is on track for completion within the specified deadlines.

14. The Government of Kosovo recently adopted a European Partnership Action Plan, which embeds the values and principles of the standards in the process of the European integration work, and thus replaces the 2004 Kosovo Standards Implementation Plan (see S/2006/45, para. 9, and S/2006/361, para. 6).

Security situation

15. The security situation remained generally stable, although fragile, and has not been adversely affected by the ongoing future status process. The number of confirmed inter-ethnic incidents remained low, although their impact continued to be high. A number of serious crimes were committed during the reporting period. UNMIK considers that those incidents have not increased overall insecurity, however. The Prime Minister of Serbia, Vojislav Kostunica, visited Kosovo on 28 June; apart from two demonstrations against the visit and the arrest of more than 100 demonstrators, the visit passed without incident.

16. In close coordination with KFOR, UNMIK police and the Kosovo Police Service have taken measures to enhance security throughout Kosovo, with particular attention to the north as noted above, including programmes to enhance relations between the police and minority communities. Border and boundary controls, including customs, were strengthened through the deployment of international officers. UNMIK police strength will remain at about 2,060 officers although their role, while retaining overall authority in this area and without prejudice to resolution 1244 (1999), has shifted increasingly to mentoring and monitoring the Kosovo Police Service as it assumes additional operational functions.

17. Following the successful conclusion of the interim review of the transfer of competencies and the subsequent promulgation of an UNMIK regulation transferring further competencies to the Kosovo Ministry of Internal Affairs, the Ministry has continued to make generally satisfactory progress towards full establishment. Most directors and section chiefs, as well as the Permanent Secretary have been appointed, albeit after considerable delay, following transparent and merit-based selection procedures in accordance with the applicable law. Donors have also launched technical assistance programmes in support of the new Ministry targeting the development of legislative, strategic and policymaking capacities. The Ministry took an active and positive role in the finalization of terms of reference for the Municipal Community Safety Councils and Local Public Safety Committees, which will play a key role in ensuring that the security of local communities, in particular minority communities, is adequately and transparently addressed by police. In addition, the chief inspector and inspectors for the Police Inspectorate of Kosovo were recruited, again following a transparent merit-based process and began training.

18. Additional competencies in the justice sector were transferred to the Kosovo Ministry of Justice, while UNMIK retained overall authority in this area. The Ministry extended its responsibilities to executive oversight of the correctional service, with the exception of Dubrava prison in emergency situations, which remains under UNMIK. It also supported the KPS forensics laboratory and a capacity-building project for local prosecutors working with international counterparts on serious and sensitive criminal cases. No significant progress has been made in investigating and prosecuting cases related to the violence of March 2004. The Kosovo Judicial Council nominated 12 minority candidates for positions, which have been forwarded to my Special Representative and the Kosovo Assembly for approval.

Decentralization

19. While the decentralization process was previously based in Pristina, those discussions have now shifted to the future status process. UNMIK however continues to provide expert advice and support to the Office of the Special Envoy for the future status process for Kosovo on the reform of local self-government. UNMIK liaised with local stakeholders and evaluated proposals on the delineation of new municipal boundaries and the transfer of competencies from central institutions to the proposed new municipal units prepared by the Provisional Institutions, the Government of Serbia, the Serbian List for Kosovo and Metohija and the Office of the Special Envoy.

20. Despite earlier progress, the implementation of three pilot municipal units — two in Kosovo Albanian areas and one in a Kosovo Turkish-majority area — has faced challenges, owing to a lack of capacity in the pilot municipal units and the municipalities from which they are derived. Nonetheless, work continued to develop agreements on competencies in key areas such as taxes, civil status documents, education and health. The two foreseen Kosovo Serb-majority pilot municipal units have not been established as planned (see S/2006/45, para. 10).

Cultural and religious heritage

21. During the reporting period, there was a notable increase in reports of vandalism against Serbian Orthodox Church sites. In response, the Kosovo Ministry of Culture, Youth and Sports appointed a focal point to liaise with the Kosovo Police Service to facilitate the reporting of any criminal acts against significant objects of cultural or religious heritage. In mid-July, the Kosovo Police developed operational plans to increase security at such sites, especially at Serbian Orthodox churches undergoing restoration. Despite earlier positive developments, in the end the Kosovo Assembly included two key passages in the Law on Cultural Heritage, one calling for additional legislation to define the status of religious communities and another to ensure that the content of the law would be subsequently harmonized with the outcome of the future status talks, only after my Special Envoy intervened.

22. The reconstruction of Serbian Orthodox Churches damaged or destroyed during the violence of March 2004 has moved forward. The Reconstruction Implementation Commission, chaired by the Council of Europe, held its first official meeting this year on 17 and 18 May and agreed on its project programme for 2006. In June tenders were launched for the first extensive interventions on three sites, for which work began in August. Four more reconstruction projects are also to be taken up in August. The support of the international donor community remains vital for the reconstruction. An umbrella memorandum of understanding with UNESCO that will facilitate the implementation of projects financed by $10 million of pledged funds is being finalized.

Returns

23. A welcome development was the signing of the Protocol on Voluntary and Sustainable Returns in Pristina on 6 June by my Special Representative and the Belgrade and Pristina representatives on the Working Group on Returns. The Protocol signals the operational and technical cooperation of Belgrade and Pristina to improve the conditions for, and facilitate the returns of, internally displaced persons to Kosovo. It had an immediate impact: more than 70 families agreed to

return to one Serb-majority village. While remaining steady, the number of minority returns to Kosovo is not satisfactory; the Office of the United Nations High Commissioner for Refugees estimates that only 770 minority community members returned from January to June 2006. Internally displaced persons continue to cite economic and security factors as the primary reasons for their reluctance to return, as well as uncertainty regarding the future status outcome.

24. At the end of June, UNMIK and the Provisional Institutions agreed on the allocation of remaining funds to support returns of Roma and Kosovo Serbs. The funding shortfall of €20 million affects 14 approved return projects, however. The recently established Kosovo Property Agency, which has a mandate to resolve claims relating to private property including agricultural land and commercial property, will, it is hoped, contribute to overcoming a major obstacle to returns.

25. Cooperation on returns between the Provisional Institutions and the Coordination Centre for Kosovo and Metohija continued at the local level, particularly on matters of humanitarian concern. For example, the Provisional Institutions provided an additional amount of €500,000 to complete a return to Istok funded by the Centre.

Dialogue

26. The working groups established for the direct dialogue on technical matters between Pristina and Belgrade proceeded slowly during the reporting period. Overall, no significant progress was achieved, and only limited progress is expected given that attention is on the future status process. Nonetheless, UNMIK continues to pursue dialogue in those forums. Some progress was made on returns and missing persons and, on 1 August, the Belgrade and Pristina cultural coordinators signed draft terms of reference for working groups on, inter alia, the return of documentation and artefacts and archaeological issues. At the June conference of the Council of South-Eastern European Ministers of Culture, the Serbian and Kosovo Ministers of Culture held further bilateral meetings on cooperation.

Regional cooperation

27. Regional cooperation continued to improve during the reporting period. UNMIK, having leaders of the Provisional Institutions in most of its delegations, participated in regional initiatives, including those under the auspices of the Stability Pact and the South-Eastern Europe Cooperation Process. On 30 May, UNMIK led a delegation to the Stability Pact Regional Table meeting in Belgrade, where the countries of South-Eastern Europe agreed to a regionally owned cooperation framework that will gradually assume the responsibilities of the Stability Pact. Negotiations continued with regional neighbours in economic sectors, including on the Athens Agreement on Energy and the Central European Free Trade Agreement. On 9 June, UNMIK signed on behalf of Kosovo the Multilateral Agreement on the Establishment of the European Common Aviation Area.

Future international arrangements and transition

28. Under the leadership of my Special Representative, preparations continued for the implementation of an eventual political settlement, including planning for an eventual transition and a possible future international civilian presence in Kosovo (see S/2006/361, para. 21). The Steering Group continued to meet in Vienna under

the chairmanship of my Special Representative, as did the local Steering Group in Pristina. On 6 June, the European Union deployed a planning team to Pristina to plan for a possible operation in the areas of police and justice. The nucleus of a future international political civilian office has also been established to begin operational planning for an eventual presence.

III. Observations

29. I am pleased that the political process to determine the future status of Kosovo is proceeding with the active and high-level participation of both sides. I am disappointed, however, that little common ground has been identified between the positions of the Serbian and Kosovo delegations, which remain committed to "substantial autonomy" and "full independence" respectively, with minimal space for negotiation. Both sides would be better served by more flexibility in their positions. I again call on both sides to engage in these talks in a spirit of compromise. It is the responsibility of the parties to find common ground and a sustainable solution, acceptable to both sides, although the support of the international community remains essential to ensure progress.

30. Regardless of the outcome, a political settlement will not eliminate the many difficulties Kosovo will face for some time to come. I appreciate the commitment with which the Prime Minister and his Government have addressed standards implementation, and call upon them to ensure that their efforts are maintained and sustainable. The implementation of the priority requirements is crucial to ensuring a multi-ethnic Kosovo, but it is important not to lose sight of the fact that all of the standards are important for the future of Kosovo. I call upon Kosovo's leaders to make further progress also in other standards.

31. It remains equally important that Kosovo Serbs participate in the institutions of Kosovo. Lack of participation is a disservice to the Kosovo Serb population, precluding an opportunity to construct optimal conditions for the future of their community. As in my last report, I call on the Belgrade authorities to remove all impediments to Kosovo Serb participation in Kosovo institutions. I would also note that, at this sensitive time, Kosovo's leaders must redouble their outreach to all communities, and not step back from doing so in order to focus on their ultimate political objectives. Now is the time to reassure all communities that they have a place in Kosovo in the future regardless of its status.

32. Despite the generally stable security situation, I remain concerned with incidents of violence targeting people or religious sites, and I strongly condemn them, particularly those that are inter-ethnic. Those responsible must be brought swiftly to justice.

33. I am also concerned by the cessation of relations by the northern municipalities with the Provisional Institutions, and their calls for independent security mechanisms. I urge all concerned to cease inflammatory accusations and to pursue a constructive resolution of these matters.

34. I welcome the recent activities of the European Union on the ground, which, together with the equally invaluable efforts of our other partner organizations, will assist in a coherent transition following an eventual determination of the future status of Kosovo.

35. I would like to extend my appreciation to my former Special Representative, Søren Jessen-Petersen, and to welcome my new Special Representative, Joachim Rücker, whose proven commitment and capability will be an asset to the Mission in the next critical phase. I also express my gratitude to the staff of UNMIK for their continued dedication and their steadfastness in carrying out their challenging tasks, often in difficult circumstances. I would like to extend my appreciation to KFOR, our partners within UNMIK — the European Union and the Organization for Security and Cooperation in Europe — and the United Nations agencies, funds and programmes as well as other organizations, contributors and donors for their commitment and valuable support.

Annex I

Technical assessment of progress in implementation of the standards for Kosovo

Prepared by the Special Representative of the Secretary-General for Kosovo, 14 August 2006

Introduction

1. The increased momentum in standards implementation continued, with a clear emphasis on 13 specific priorities identified by the Contact Group, most of which are focused on minorities. Five of these 13 points have already been implemented. The Government has announced that four more action points will be fulfilled by 31 August.

Functioning democratic institutions

2. The Assembly adopted a comprehensive reform plan in June, resulting in more regular and frequent plenary sessions, improved forward planning and greater transparency and coordination between the Presidency, committee chairpersons and the leaders of parliamentary groups.

3. Revision to the rules of procedure has significantly improved interaction between the Assembly and the Government. Each plenary session now has time reserved for members' questions to the Government. At a three-day plenary session in July, the Assembly held extensive debates on the first 100 days of the Government's work.

4. During the reporting period the Assembly adopted 10 laws and approved 7 others at the first reading.

5. On 27 July, the Assembly adopted the Law on Languages (a Contact Group priority) which provides for full equality of Albanian and Serbian as official languages of Kosovo. However, an amendment proposed by the Government to make Turkish an official language in the municipality of Prizren was not approved by the Assembly, prompting a challenge to the law led by the head of the Turkish Democratic Party of Kosovo (KDTP). On 3 August, the Prime Minister, the President of the Assembly and the head of KDTP agreed to resubmit the amendment to the Assembly.

6. The Government has added 15 new translators to improve staffing of central-level language units (a Contact Group priority). Efforts to recruit additional translators needed in municipalities are limited by budgetary constraints. Twenty-two of 30 municipalities now have simultaneous translation equipment installed. Twenty-five are fully or partially language compliant in respect of road signs. Twenty-four are fully or partially compliant in respect of signs on municipal buildings. The Kosovo Institute for Public Administration began a programme of professional training for translators, providing instruction to 60 municipal staff in June.

7. Language compliance monitoring mechanisms (a Contact Group priority) did not strengthen during the reporting period. The last report of the Provisional

Institutions of Self-Government on translation statistics was presented in February 2006.

8. An initial effort has been undertaken by the Ministry of Local Government Administration and the Ministry of Public Services to collect administrative instructions and where necessary translate them into Serbian and distribute them to municipalities (a Contact Group priority). However, the files collected do not include all administrative instructions, and a significant number of those collected in Albanian are still missing in Serbian. No documents have been collected yet from the Ministry of Culture, Youth and Sports, the Ministry of Communities and Returns and the Ministry of Justice.

9. A code of conduct for civil servants was approved by the Government on 17 May.

10. The Senior Public Appointments Committee has made decisions on the appointment of four Permanent Secretaries and on the recruitment of an agency chief executive officer. Recently drafted rules of procedure for the Advisory Committee have improved its functioning.

11. More than 3,250 Kosovo Serb teachers, health-care workers and administrative staff have withdrawn from the payroll of the Provisional Institution to date, following an ultimatum given to them by Belgrade to do so or forfeit their salaries and pensions paid by Belgrade. Those moves have weakened the link between Kosovo Serbs and local institutions and at the same time have strengthened parallel structures.

12. The Government is holding in trust the salaries of the Kosovo Serbs who have left the payroll of the Provisional Institutions, in recognition of the fact that they continue to perform their jobs and as such continue to provide services for their communities. In addition, the Minister of Public Services has undertaken a series of direct outreach meetings in five municipalities to encourage minority communities to work in the Provisional Institutions and to invite employees who have withdrawn from the payroll of the Provisional Institutions to receive their salaries.

13. The Government approved on 3 May a long-term strategy to increase the number and improve the position of women in the Provisional Institutions, drafted by the Office of Gender Equality.

14. On 1 June, the Government began publishing the Official Gazette of the Provisional Institutions in five languages, distributing copies both in print and through the Government website. However, the text of the first volume was not published in accordance with UNMIK Regulation 2005/25 and needs to be corrected and re-published.

15. In July, the Government distributed the first grants from its Minority Media Fund (a Contact Group priority) to 11 recipients (four Kosovo Serb, two Bosniak, one Turkish, two multi-ethnic and two media organizations representing vulnerable groups).

16. No progress has been made in extending the reach of the television signal of Radio Television Kosovo from the current 75 per cent of the population to 90 per cent, as required by law. The implementation of the law will require a substantial financial investment, roughly estimated at between €1 million and €2 million.

17. The Assembly finalized the establishment of the Council of the Independent Media Commission by appointing the fifth local member on 28 July (a Contact Group priority).

Functioning democratic institutions: challenges ahead

18. Significant work remains to improve compliance with official language policy. Final passage of the Language Law will help in this direction, as will early establishment of the Language Commission foreseen in the law. However, additional capacity and resources need to be identified to improve compliance monitoring and fully implement the law when promulgated.

19. The Office of the Official Gazette needs additional capacity and resources to fulfil all of its obligations, including developing a medium-term plan to publish more than 100 laws promulgated since 2002.

20. The Council of the Independent Media Commission needs to appoint its chief executive in accordance with the procedure set out in the law.

Rule of law

21. The transition of additional competencies to the Ministry of Justice and the Ministry of Internal Affairs has been smooth. Minority representation is 10 per cent in the Ministry of Internal Affairs and 14.6 per cent in the Ministry of Justice. Both ministries have Permanent Secretaries appointed by the Senior Public Appointments Committee.

22. Additional functions have transitioned to Kosovo Police Service (KPS) control, including border police stations and the Department of Crime. On 20 July, the Vërmicë/Vrbnica border station was the first to be transitioned to KPS and another six followed.

23. The Kosovo Police Service and the Kosovo Correctional Service remained multi-ethnic, with 16.01 per cent of minority staff in the Police Service (slight increase from the last reporting period) and 14.52 per cent minority staff in the Correctional Service.

24. Crime clearance rates remained broadly comparable across communities.

25. A comprehensive judicial and prosecutorial vetting procedure is in preparation.

26. Insufficient progress has been made in investigating and prosecuting cases relating to the riots of March 2004 (a Contact Group priority). Local courts are handling cases against 513 persons. 423 people were convicted, 8 were acquitted, charges were dropped against 19 and cases are pending against 63 persons. International prosecutors have conducted the most serious cases; there were 56 initially but 11 of them were never developed for lack of evidence; 13 resulted in convictions (against 26 defendants); one resulted in acquittal; 14 were terminated or dismissed for lack of evidence; 6 cases were handed over to local prosecutors, and 11 are pending. A list of priority cases for investigation and prosecution was agreed by police and the Department of Justice. The Kosovo Police Service has assigned investigators to all of the prioritized cases.

27. Minority community members are 9.6 per cent of judges and 8.1 per cent of prosecutors. As a result of a recruitment campaign for judges and prosecutors

targeting members of underrepresented communities, the Kosovo Judicial Council recommended for approval 22 candidates for judges and prosecutors, including 12 from minority communities.

28. Eleven Court Liaison Offices are established and operational (a Contact Group priority). The final two Court Liaison Offices at Osojan/Osojane (Istog/Istok) and Bablak/Babljak (Ferizaj/Uroševac) were opened on 7 July with the participation of the Minister of Justice. Court days are being scheduled.

29. The civil court backlog increased 2.4 per cent over the reporting period, to 45,053 cases.

30. On 17 July, the Assembly appointed the Director of the Anti-Corruption Agency (a Contact Group priority). Adequate office space needs to be found and additional staff recruited for the agency to become operational. The Agency should begin implementing the Anti-Corruption Strategy and Action Plan, which includes the adoption of additional legislation and a public information campaign.

Rule of law: challenges ahead

31. The smooth transition of competencies to the Ministry of Internal Affairs and the Ministry of Justice should continue. The Ministry of Public Services needs to transfer the Department of Civil Status to the Ministry of Internal Affairs. Staff and advisers of the Ministry of Justice and the Ministry of Internal Affairs need to be hired in a transparent manner through a merit-based procedure. Staff of those Ministries need to be impartial, professional with a clean background and include the required percentages of minorities.

32. Measures to protect witnesses and court officials from intimidation need to be strengthened. Legislation on witness protection needs to be finalized.

33. Greater efforts are needed to conclude the remaining prosecutions relating to the violence of March 2004. Those prosecutions need to be designated as a high priority. Local leaders should publicly call for witnesses to come forward because progress is hampered by the failure of witnesses to testify.

34. New efforts need to be launched to address the increasing backlog of civil cases and to manage the caseload effectively.

35. Serious and organized crime, financial and economic crime, including money-laundering and trafficking, continue to be a challenge for Kosovo as for the whole region.

Freedom of movement

36. Political and institutional leaders continued to condemn incidents of violence and vandalism.

37. The police assessed the security situation in Kosovo as stable but fragile. Police figures for potential ethnically motivated incidents have remained low and continue to show a declining trend compared to 2005.

38. Surveys by the Kosovo Police Service of minority freedom of movement during the reporting period show an increasing trend of people who consider their travel in Kosovo to be safe. In May, 84 per cent of those interviewed assessed their travel as safe; in August, 94 per cent.

39. UNMIK and the Government are engaged in discussions to transfer operation of the Freedom of Movement Train and the humanitarian bus service from UNMIK to the Ministry of Transport and Communications. A draft memorandum of understanding between UNMIK and the Ministry has been prepared. The draft defines general principles for minority transportation and the methodology for selecting the bus routes in consultation with minority communities.

40. The Ministry of Transport and Communications is preparing an overall strategy for minority transport including identification of long-term funding which the Government has announced will be finalized by 31 August (a Contact Group priority).

41. The vehicle technical control centre in Zubin Potok was the first to comply with the technical requirements and it was licensed on 31 May 2006. The Ministry of Transport and Communications will inspect the centre at Leposaviq/Leposavić in August. Other centres still need to fulfil the technical criteria for licensing.

42. In an effort to ensure access of all communities to the police, police sub-stations have been opened in 18 minority communities (a Contact Group priority), and it is expected that four more will be opened within a month and four additional sub-stations at a later date. Local Public Safety Committees have been established in 14 areas. Three additional Committees are expected to be established. Terms of reference for those committees and Municipal Community Safety Councils have been finalized.

Freedom of movement: challenges ahead

43. The public transportation strategy for minorities needs to be completed and necessary funding allocated to ensure its sustainable implementation.

44. Malisheve/Mališevo, Shtërpcë/Štrpce, Leposaviq/Leposavić, Novobërdë/Novo Brdo and Zveçan/Zvečan need to establish Municipal Community Safety Councils in accordance with UNMIK Regulation 2005/54.

45. Confidence-building measures, such as the Prime Minister's Confidence Building Task Force and the recently launched Communities Security Council, must continue their efforts to make members of minority communities feel safer and more confident in their freedom of movement.

Sustainable returns and the rights of communities

46. There has been major progress in completing the reconstruction and compensation programme relating to March 2004 (a Contact Group priority). On 16 June, the Special Representative of the Secretary-General, at the request of the Prime Minister, Agim Çeku, assigned the Kosovo Protection Corps a major role in completing the reconstruction work in Svinjarë/Svinjare and in utilizing the humanitarian and public services of the Kosovo Protection Corps to help resolve other pending claims relating to the reconstruction.

47. The Kosovo Protection Corps has held meetings in Svinjarë/Svinjare with all stakeholders, including internally displaced persons, the receiving community and municipal officials, and repairs to buildings have now begun and should be completed by the end of October. A decision-making board has been established and is holding regular meetings.

48. On 6 June, a returns protocol was signed by UNMIK, Pristina and Belgrade, reaffirming all sides' commitment to returns. The Protocol seeks to improve the conditions for return and enhance capacity for implementation of return projects through provisions that range from providing access to basic services for the returnees to promoting integration of internally displaced persons.

49. The Ministry of Communities and Returns has adopted a work plan aimed at improving the Ministry's management. It has also started to implement recommendations made by the Independent Oversight Board regarding deficiencies in employment procedures. Discussion on the transfer of competencies in the field of voluntary returns from UNMIK to the Ministry, with the assistance of other United Nations agencies, is ongoing.

50. Returns projects proposed by the Ministry of Communities and Returns have not been in conformity with policies on sustainable returns, and as a consequence have not been approved by the Central Review Mechanism. The project being implemented by the Ministry in Zoçishte/Zočište lacks overall coordination by the Ministry and has not been successful in attracting the displaced to return because it does not include components related to infrastructure, community dialogue and income generation.

51. The Government and UNMIK reached an agreement on 30 June on the allocation of the Ministry's remaining returns funding for 2006 (a Contact Group priority). The Ministry transferred €1.5 million for individual returns, and €500,000 to support an urban returns project in Istog/Istok. The transfer of €210,000 to the Ministry of Environment and Spatial Planning for the closure of Plementina camp is expected to be completed in September as part of the mid-year review of the budget. To support the completion of the March 2004 reconstruction and compensation programme, €550,000 was transferred from the Government's contingency funding, adding to €417,000 already available. The Ministry of Communities and Returns has also taken the necessary action to transfer a further €1.1 million for the programme as part of the agreement with UNMIK. The transfer of €1.4 million for a Kosovo Serb return project in Skenderaj/Srbica and an urban return project for Kosovo Roma in Gjilan/Gnjilane has been delayed by the Ministry, preventing work from starting during the 2006 reconstruction season.

52. Returns projects are ongoing in 18 municipalities and planned in 7 more. Urban returns are ongoing in 11 municipalities and planned in 6 more. The return on 18 July of 35 Kosovo Serb families to Babush/Srpski Babuš (Ferizaj/Uroševac) constitutes the largest group return during the reporting period. Twenty-one municipalities have endorsed 2006 municipal returns strategies and eight remaining municipalities have draft strategies in the process of approval.

53. The funding gap for identified return projects is €23 million. The lack of funding for returns projects is the single most important obstacle to returns.

54. Visible support for returns and outreach to displaced and receiving communities continues on the part of political leaders. The President, the Prime Minister, and most ministers have continued to visit minority areas. Most municipalities have demonstrated greater willingness to engage with communities, especially the Kosovo Serbs, and to respond to their concerns by conducting outreach activities.

55. Kosovo Roma continued to move out of the lead-contaminated camps in northern Mitrovicë/Mitrovica and Zveçan/Zvečan into safer facilities in the northern part of the city. A total of 167 individuals remain by their own choice in the contaminated camps, despite the offer of safer alternatives, but some of them are planning to move.

56. On 8 May, the Deputy Prime Minister inaugurated a social housing complex in Magurë/Magura village (Lipjan/Lipljan municipality) for 22 Roma, Ashkali and Egyptian families from Plementina camp. On 26 May, the Prime Minister inaugurated the second social housing building in Plementina village, which will house 40 internally displaced Roma families from the camp. Both were funded by the Kosovo Consolidated Budget.

57. The Minister for Finance and the Economy signed an administrative instruction on fair share financing on 10 August, aimed at improving accounting and reporting by municipalities of expenditure benefiting minority communities. The report on fair share spending for the second quarter of 2006 is expected in September, once municipal staff are trained on the new system.

58. On 10 May, the first administrative instruction to implement the Anti-Discrimination Law was approved since the promulgation of the law in August 2004. Human rights units in the ministries continue to strengthen and have become the major structural mechanism to facilitate the implementation of the Law.

59. On 13 July, the Assembly adopted the Law on Religious Freedom (a Contact Group priority).

Sustainable returns and the rights of communities: challenges ahead

60. The Ministry of Communities and Returns needs to further improve its functioning as a ministry, including building the capacity to develop policies and monitor their implementation, manage programmes and supervise funding of returns projects, and coordinate all efforts of the Provisional Institutions in the area of returns.

61. The Government needs to complete the reconstruction of and compensation for property damaged in March 2004, so that the people displaced by those events may have the choice of returning. A Government-led panel for resolving the compensation and reconstruction claims outside Svinjarë/Svinjare needs to be established.

62. A database of displaced persons needs to be developed to measure the demand to return.

63. Continuing efforts are needed to implement the Comprehensive Action Plan against Discrimination.

Economy

64. All budget organizations have submitted their identified savings and additional budget requests for the mid-year review on time. The review is expected to be finalized by the end of August. Preparations for drafting the 2007 budget were launched on time. The development of the 2007-2009 medium-term expenditure framework is in progress. Substantial analytical work is under way with regard to projections of donor support and the implications of assuming debt.

65. Public expenditure remains within budget ceilings across all economic categories and in most budget organizations. The Ministry of Finance and the Economy reports that budget organizations have spent 35.2 per cent of their annual appropriation in the first half of 2006. Capital spending has been slower, however, with only 12 per cent of the annual budget allocation spent as at the end of June.

66. Very limited progress has been made in implementing the IMF Letter of Intent. The Ministry of Finance and the Economy has refused to disburse wages when requests have exceeded budget ceilings, and has proposed a cut in ceilings for 2007. The Government rejected the draft law on employment promotion proposed by the Ministry of Labour and Social Welfare because of its high projected cost. Other costly laws have been adopted, however, implementation of which would contradict the Letter of Intent, and no significant steps have been taken to implement the commitment to cut public employment by 10 per cent. IMF has postponed its next staff mission to Kosovo, noting both the lack of progress in implementing the Letter of Intent and a "policy drift [that] risks the mobilization of budget support" by donors.

67. The head of the Investment Promotion Agency was appointed on 5 June, and its operational statute has been approved.

68. Four more waves of privatization have been launched. The total proceeds of paid contracts currently amount to €236,152,396. In addition, the Kosovo Trust Agency Board had approved a total of 62 liquidations with total proceeds amounting to €1,465,416 at the end of July 2006. However, 23 new companies (up from 11 in the previous reporting period) have been removed from the tender procedure since May, owing to a lack of adequate cadastral records — a problem arising primarily from lack of cooperation on the part of Belgrade, and to a lesser extent lack of cooperation on the part of some Kosovo municipalities.

69. The Government submitted amendments to the draft law on public procurement to the Assembly on 6 August (a Contact Group priority).

Economy: challenges ahead

70. Commitments to IMF need to be fully implemented: eligibility for basic pensions and other social benefits should be more strictly controlled or revised; new benefits should not be adopted; proposed laws need to be brought into line with available resources; and detailed planning needs to be done to implement the promised 10 per cent cut in public employment.

71. Budget organizations need to take immediate steps to implement auditors' recommendations regarding procurement practices. The Assembly needs to adopt the revised draft law on public procurement.

72. Budget organizations need to improve cooperation with the Treasury in the implementation of financial regulations and procedures on public expenditure. In particular, budget organizations need to commit money when incurring financial obligations to prevent the accumulation of hidden arrears.

73. Improving revenue collection remains a major challenge for the Kosovo electricity company (KEK). The list of public debtor institutions needs to finalized and sent to the Government. The Ministry of Finance and the Economy needs to

follow through and freeze the accounts of those budget organizations that have not been paying their electricity bills.

Property rights

74. Legal reform relating to property rights moved forward. The draft law on the treatment of illegal construction was sent to the Assembly for approval. The draft law on housing was completed and is with the Ministry of Environment and Spatial Planning for final corrections.

75. On 12 July, the Supervisory Board of the Kosovo Property Agency was established. The members of the Board include the Minister of Environment and Spatial Planning and a Kosovo Serb representative.

76. The Housing and Property Directorate/Housing and Property Claims Commission has adjudicated at the first instance all but one of the 29,155 claims received. Of those, 93.7 per cent or 27,140 claims have been resolved (a Contact Group priority), more than 900 of them during the reporting period. Around 600 claims need to be resolved, in addition to another 1,200 that are pending appeal.

77. The Kosovo Property Agency continues to register claims on occupied agricultural and commercial property and other residential claims; 1,113 claims had been received at 10 August. Standard operating procedures for effective police support to the implementation of the Agency's mandate have been drafted (a Contact Group priority).

78. In view of concerns expressed regarding the ability of the courts to process property cases efficiently, a draft regulation to replace UNMIK Regulation 2006/10, by which the Kosovo Property Agency was established, is being prepared. The new regulation would grant the Agency's Property Rights Commission quasi-judicial status instead of involving courts in claims processing. Parties would still have the right to appeal the Commission's decisions to the Supreme Court.

79. The Government and the Kosovo Property Agency have agreed to implement a pilot project on the rental scheme (a Contact Group priority) that includes the properties under Agency administration whose owners are identified and who would be able to receive the rent collected. A total of 3,481 properties administered by the Agency at the claimants' request are to be included in the scheme.

80. A new project to reconstruct cadastral records in the five largest municipalities will be launched soon with the support of the World Bank and the Government of Sweden. In addition, the Kosovo Cadastral Agency is taking steps to address the problem of unregistered apartments.

Property rights: challenges ahead

81. Investigation and prosecution of illegal occupation and unlawful entry needs to improve. The Office of the Public Prosecutor needs to issue new guidance to police and prosecutors on handling these cases.

82. The finalization of a detailed action plan for legal reform would ensure better coherence and compliance with international standards. Harmonization of the whole framework is needed.

83. The increasing backlog of property-related cases needs to be addressed in order to ensure due process of law.

84. Kosovo cadastral and judicial records currently held by Serbian authorities need to be returned.

85. Concrete actions to regularize informal settlements at the municipal level are still necessary.

Cultural heritage

86. The revised draft of the Law on Cultural Heritage was adopted at the first reading on 28 July (a Contact Group priority). However, the law did not contain either of two provisions that Pristina agreed to at meetings with the Office of the Special Envoy late in April. The President of the Assembly and the Minister of Culture, Youth and Sports have subsequently given assurances of their support for incorporating those provisions into the draft law before its final approval by the Assembly, expected before October 2006.

87. New terms of reference have been signed for the Reconstruction Implementation Commission and a programme of works for 2006 was agreed upon. The first round of tenders for extensive reconstruction works in 2006 was launched in June for three sites. Works should begin on these sites late in August. A second round of tenders was launched early in August for three other sites and for additional work on the three previously tendered ones. The start of these works is expected in September and October. An accelerated tender was launched early in June for repair of the lead roof stolen from Lieviska Church. Work began on that site on 31 July.

88. There has been a significant increase in the number of incidents relating to cultural heritage property and monuments. From 16 April to 6 August, 18 incidents were reported to the police, of which eight involved damage to gravevards/gravestones, four involved thefts at Orthodox churches, four were damage to religious sites, one involved an illegal excavation in a special zoning area and one involved damage to a war memorial. Investigations are ongoing in 10 of the cases while the other 8 cases have been referred to prosecutors.

89. Following this series of incidents, the Ministry of Culture, Youth and Sports held urgent meetings with the Kosovo Police Service and KFOR representatives to identify additional special protection measures, especially for sites currently under reconstruction, and a general operational plan to enhance security of cultural heritage sites throughout Kosovo. The Minister and municipal authorities publicly condemned the most serious incidents in a timely manner. Focal points for faster communication were appointed by the Ministry and the police in June.

90. The Ministry of Culture, Youth and Sports still has no policy for the allocation of funding for cultural heritage protection in 2006, thus adversely affecting the work of various institutes.

91. An assessment of data already existing in the architectural, archaeological and movable inventories is ongoing. By the autumn 2006, the Ministry is expected to produce maps indicating areas not yet covered by the inventory and identify steps needed to include them. Twelve Ministry officials and experts are undergoing training on the management of inventory databases.

Cultural heritage: challenges ahead

92. Condemnation by political and community leaders of incidents affecting cultural heritage sites needs to continue. The public needs to cooperate with law enforcement in these cases.

93. The draft Law on Cultural Heritage needs to be adopted after incorporating amendments agreed to with the Office of the Special Envoy.

94. Further progress is needed on the inventories.

Dialogue

95. An ad hoc session of the Working Group on Missing Persons was held on 16 May with two new members appointed by the Prime Minister, one a leading human rights activist and the other a former KLA associate, the expectation being that they would be in a better position to assist in securing data on gravesites and the fates of the missing. The Working Group met in plenary session in Belgrade on 31 May. Although some limited progress has been made, new information leading to a resolution of the fate of remaining missing is needed, in particular the information on additional gravesites.

96. On 23 June, the third session of the Working Group on Returns was held in Belgrade. Agreement was reached to establish at least one sub-working group, chaired by UNHCR, to work on various technical issues including tracking the implementation of the Returns Protocol.

Dialogue: challenges ahead

97. The Pristina-Belgrade dialogue process needs to continue and to deliver concrete results as much as possible, given the ongoing talks on Kosovo's status.

Kosovo Protection Corps

98. The Kosovo Protection Corps continued to perform its functions in accordance with the law and its disciplinary code during the reporting period.

99. On 1 August, 20 minority community members joined KPC (from the Kosovo Serb, Bosniak, Croat, Roma and Egyptian communities), 19 of them entering the active contingent. Ethnic minority representation continued to rise, to 7.1 per cent from 6.8 per cent in April, bringing the total number to 216 minority members (52 Kosovo Serbs) of the active contingent.

100. The representation of women in the active contingent rose slightly, to 3.1 per cent. Women are represented at all levels of KPC and continue to occupy relatively more senior ranks than men.

101. KPC has undertaken the lead role in completing reconstruction work in Svinjare/Svinjare village in Mitrovica municipality, as reported in paragraph 47 above. In addition, KPC remains involved in many other returns and civil and humanitarian projects.

102. On 26 June, the KPC Disciplinary Board was convened for the first time under the new disciplinary code, which transferred responsibility for staffing and for investigating major and minor disciplinary cases from KFOR to KPC. The Board recommended dismissal of 14 active KPC members for absenteeism. Excluding

absenteeism cases (which constitute approximately 54 per cent of the 70 cases implemented in 2005), there has been an estimated 60 per cent decrease in disciplinary cases since 2002.

103. KPC explosive ordnance disposal teams cleared 402,995 square metres of land from 3 April, when the demining season began, to 4 August 2006.

Kosovo Protection Corps: challenges ahead

104. The efforts to recruit and retain minority community members need to continue.

105. KPC needs to continue to reach out to minority communities, to reassure them of their future in Kosovo and KPC, and contribute to reconciliation and a stable environment in Kosovo.

106. Political and financial support is still needed for mission-essential equipment, infrastructure and specialized training in order for KPC to continue to become more professional.

Annex II

A. Composition and strength of the police component of the United Nations Interim Administration Mission in Kosovo (as at 14 August 2006)

Country	*Number*	*Country*	*Number*
Argentina	11	Malaysia	2
Austria	22	Nepal	19
Bangladesh	32	Netherlands	1
Brazil	2	Nigeria	32
Bulgaria	33	Norway	19
China	18	Pakistan	153
Croatia	2	Philippines	44
Czech Republic	11	Poland	123
Denmark	23	Portugal	7
Egypt	20	Romania	172
Finland	2	Russian Federation	47
France	55	Slovenia	14
Germany	189	Spain	13
Ghana	15	Sweden	41
Greece	10	Switzerland	7
Hungary	7	Timor-Leste	10
India	91	Turkey	134
Italy	29	Ukraine	183
Jordan	20	United Kingdom of Great Britain and Northern Ireland	61
Kenya	17	United States of America	252
Kyrgyzstan	5	Zambia	9
Lithuania	8	Zimbabwe	20
Malawi	5		
Total			**1 990**

B. Composition of the Kosovo Police Service (as at 14 August 2006)

Category	*Percentage*	*Number*
Kosovo Albanians	84.05	6 093
Kosovo Serbs	10.17	737
Other ethnic minority members	5.78	419
Total	**100**	**7 249**
Men	86.33	6 258
Women	13.67	991

Annex III

Composition and strength of the military liaison component of the United Nations Interim Administration Mission in Kosovo (as at 14 August 2006)

Country	*Number of liaison officers*
Argentina	1
Bangladesh	1
Bolivia	1
Bulgaria	1
Chile	1
Czech Republic	1
Denmark	1
Finland	2
Hungary	1
Ireland	4
Italy	1
Jordan	2
Kenya	1
Malawi	1
Malaysia	1
Nepal	1
New Zealand	1
Norway	1
Pakistan	1
Poland	1
Portugal	2
Romania	2
Russian Federation	2
Spain	2
Ukraine	2
United Kingdom of Great Britain and Northern Ireland	1
Zambia	1
Total	37

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Letter dated 5 September 2006 from the Chargé d'affaires a.i. of the Permanent Mission of Jordan to the United Nations addressed to the President of the Security Council

I have the honour to forward a letter, with enclosure, addressed to you by the Foreign Minister of the Hashemite Kingdom of Jordan, Abdelelah M. al-Khatib.

(*Signed*) Basheer F. **Zoubi**
Deputy Permanent Representative
Chargé d'affaires a.i.

06-48779 (E) 060906

Annex to the letter dated 5 September 2006 from the Chargé d'affaires a.i. of the Permanent Mission of Jordan to the United Nations addressed to the President of the Security Council

5 September 2006

On behalf of the Government of the Hashemite Kingdom of Jordan, I have the honour to present to the Security Council, for its consideration, the candidacy of H.R.H. Prince Zeid Ra'ad, Permanent Representative of Jordan to the United Nations, for the position of Secretary-General of the United Nations. I also have the honour to attach a biographical sketch of Prince Zeid and request that this letter, together with its enclosure, be brought to the attention of the members of the Security Council, and be circulated as a document of the Security Council.

(*Signed*) Abdelelah M. **al-Khatib**

Enclosure

Biographical note

Zeid Ra'ad Zeid Al-Hussein

Prince Zeid is Jordan's Ambassador and Permanent Representative to the United Nations, a post he has held since August 2000. In the course of his distinguished career as a diplomat, peacekeeper and international mediator, Prince Zeid has developed a unique experience in the United Nations most challenging issues in the twenty-first century. He has also consistently challenged the United Nations to live up to its founding ideals as a servant of all the world's peoples, and the instrument of its Member States in advancing development, peace and security.

In 1997, as Jordan's Deputy Representative, he was the first and only official in the General Assembly to demand publicly a complete United Nations report on the Srebrenica massacre, Europe's worst atrocity since 1945. The following year, he led a campaign among Member States to this effect, which culminated in a call by the General Assembly for a definitive account. The Secretary-General responded by producing a report widely considered to have been groundbreaking in both its honesty and its thoroughness.

An expert in the field of international justice, Prince Zeid also played a central role in the establishment of the International Criminal Court. He chaired, for example, over the course of two years, the complex, often pioneering, negotiations on the "elements" of the individual offences falling under the categories of genocide, crimes against humanity, and war crimes. Courts around the world now cite the definitions for crimes against humanity, refined by the elements, as authoritative.

In September 2002, Prince Zeid was elected the first president of the governing body of the International Criminal Court, at a time when the Court was only a plan on paper, with no officials or even an address to its name and, in three years, oversaw the Court's growth into the institution it has now become.

He has also been active on other legal issues. He was the first of two United Nations ambassadors to chair the Ad Hoc Committee on the Scope of Legal Protection under the Convention on the Safety of United Nations and Associated Personnel. In the spring of 2004, he was chosen to be Chairman of the Panel of Experts for the Secretary-General's Trust Fund to Assist States in the Settlement of Disputes through the International Court of Justice, in the matter relating to the boundary dispute between Benin and the Niger. Earlier that year, he was also appointed by his Government as Jordan's representative, and head of delegation, before the International Court of Justice in the matter relating to the wall being built by Israel in the Occupied Palestinian Territories.

Having served as a political affairs officer in UNPROFOR in the former Yugoslavia from February 1994 to February 1996, and having worked intimately with peacekeeping issues for over the last decade, Prince Zeid's knowledge of United Nations peacekeeping is also extensive.

Following allegations of widespread abuse being committed by United Nations peacekeepers in the summer of 2004, he was appointed Adviser to the Secretary-General on sexual exploitation and abuse. In the spring of 2005, he produced a

report on this subject, praised subsequently by international civil society for having been "revolutionary" in its approach. It provided, for the first time, a comprehensive strategy for the elimination of sexual exploitation and abuse in United Nations peacekeeping operations. The report was endorsed in full, by the 191 Heads of State and Government, in September 2005.

Prince Zeid currently chairs the Consultative Committee for the United Nations Development Fund for Women (UNIFEM) and has, over the past two years, led an effort to establish greater strategic direction for the Fund.

Born in Amman, and educated in Jordan, the United Kingdom and the United States, Prince Zeid holds a B.A. from Johns Hopkins University, and degrees of M.Phil. and Ph.D. from Cambridge (Christ's College). In 1989, he received his commission as an officer in the Jordanian Desert Police (the successor to the Arab Legion) until 1994.

His publications include "A Nightmare Avoided: Jordan and Suez 1956" in *Israel Affairs* (winter 1994), and "Religious Militancy in the Arab Middle East: Threats and Responses 1979-1988" in the *Cambridge Review of International Affairs* (spring 1989).

Prince Zeid is a member of the Advisory Committee to the Institute for Historical Justice and Reconciliation. He is married to Princess Sarah Zeid, and they have a son and a daughter.

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Security Council

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Letter dated 4 September 2006 from the Permanent Representative of Georgia to the United Nations addressed to the President of the Security Council

I have the honour to request your kind assistance in circulating as a document of the Security Council the statement of the Ministry of Foreign Affairs of Georgia dated 31 August 2006 on the recent developments in the Gali district of Abkhazia, Georgia (see annex).

(*Signed*) Irakli **Alasania**
Ambassador
Permanent Representative

06-48813 (E) 070906

Annex to the letter dated 4 September 2006 from the Permanent Representative of Georgia to the United Nations addressed to the President of the Security Council

Statement of the Ministry of Foreign Affairs of Georgia on the recent developments in the Gali district

The Sukhumi separatist regime continues a spiral of gross and mass violation of human rights on the territory of Abkhazia, Georgia. The so-called government of Abkhazia, without confining itself to ethnic cleansing of Georgians recognized and condemned repeatedly in the final documents of the summits of the Organization for Security and Cooperation in Europe in Budapest (1995), Lisbon (1997) and Istanbul (1999), remains relentless in its pursuit of its inhuman discriminatory policy and acts against the ethnic Georgian population of the region. These acts take place against the background of military hysteria holding a grip on Sukhumi.

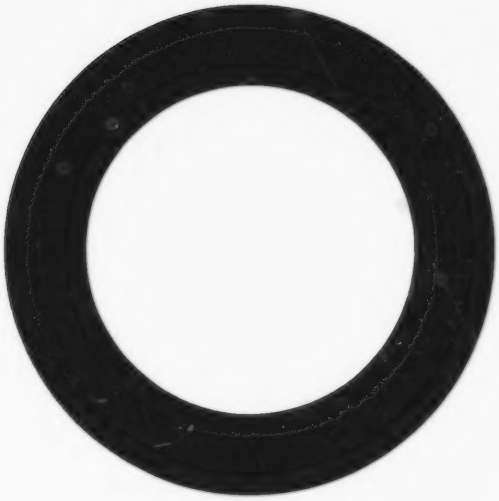
Georgians in the Gali district were made to dig trenches for the so-called Abkhazian armed forces, which is an example of the universally banned practice of forced labour, of which the international community was duly informed.

Presently, separatists are engaged intensively in efforts to mobilize Georgian young people into the so-called Abkhazian armed forces. The so-called conscription of dozens of local Georgian men that takes place through the use of completely illegal and forceful methods provides a sharp reminder of the times when conscripts were drafted into the Red Army under the threat of force. The Bolshevik experience seems to be an example worth following for the Sukhumi regime.

These violations take place within sight of the Commonwealth of Independent States (CIS) and in actual practice, Russian peacekeeping forces that do nothing to suppress flagrant and mass violations of human rights, as they are mandated to do under paragraph 6, chapter 2 of the regulations approved by the CIS Council of Heads of State on the collective peacekeeping forces in the Commonwealth of Independent States. Needless to say, Russian peacekeepers cannot, against this background, ensure the protection of the safety, dignity and human rights of the peaceful population, including internally displaced persons and refugees, as prescribed by Security Council resolutions 1524 (2004), 1582 (2005), 1615 (2005) and 1666 (2006).

This fact demonstrates yet again the reluctance of the Russian peacekeeping forces to duly perform their obligations and provides an added proof of the correctness of the Georgian Parliament's decision to withdraw Russian peacekeepers from the conflict zones, replace them by an international component and grant a peacekeeping mandate to a genuinely neutral and impartial side.

Georgia urges the international community and international organizations to assess duly the separatist regime's unlawful acts and bring into action all levers in order to end the violation of human rights in the Gali district of Abkhazia, Georgia. Against the background of recent developments, it becomes patently obvious who is against the peace process and whose acts are behind the danger posed daily to the ethnic Georgian population of the region.



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Report of the Secretary-General concerning the credentials of the alternate representative of the United States of America on the Security Council

Pursuant to rule 15 of the provisional rules of procedure of the Security Council, the Secretary-General wishes to report that he has received a note verbale dated 1 September 2006 from the representative of the United States Mission to the United Nations stating that T. Kirk McBride has been appointed alternate representative of the United States of America on the Security Council.

In the opinion of the Secretary-General, that communication constitutes adequate provisional credentials.

06-48843 (E) 060906